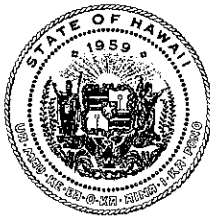
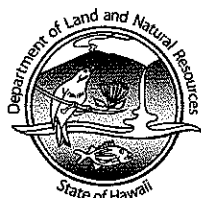


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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HISTORIC PRESERVATION
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LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

HISTORIC PRESERVATION DIVISION
KAHUIHEWA BUILDING
601 KAMOKILA BLVD, KAPOLEI HI 96706

DATE: February 8, 2011

LOG: 2011.0207

DOC: 1101RS51

TO: Carlton Morris
FWS Project Manager
Division of Engineering
US Fish and Wildlife Service
911 NE 11th Avenue
Portland, Oregon 97232

SUBJECT: **National Historic Preservation Act (NHPA) Section 106 Review / Removal of Lead Based Paint**
Permit # (None)
Building Owner: United States National Park Service
Location: Midway Atoll
Tax Map Key: N/A

This letter is in response to an undated communication, received by our office on January 25, 2011, re removal or encapsulation of lead based paint at Midway Atoll. This project has been undertaken after discovery of the negative impact of lead based paint on Laysan Albatross nestlings. Your office has since compiled a Preliminary Assessment/Site Inspection report on the lead levels in nine areas and examined six alternatives (including "No Action"). A cleanup goal of 75 milligrams per kilogram for lead in the soil was determined and a remedial program over six years decided upon. Lead based paint and/or asbestos siding is to be removed from specified structures and Buildings 578, 579, 619, 623, 626, 628, 643 (which had the highest toxicity) be demolished. Contaminated soils are to be excavated and a soil barrier (geomembrane) be added over the disposal sites. The areas of potential effect would be building footprints and sites adjacent with contaminated soils.

Midway Island was the site of a pivotal World War II battle in 1942 that stopped a potential invasion of the Hawaiian Islands by the Empire of Japan. The island is a National Memorial Site due to its importance in World War II, it is also a National Wildlife Refuge and a part of the Papahānaumokuākea National Marine Sanctuary.

Our office is only qualified to comment on the historic preservation issues, particularly with relation to the World War II Structures. As such, we have the following comments:

1. We consider the 6 year clean-up timeline reasonable.
2. We believe the proposed demolition of buildings in "Decision" Areas 1 and 2 (except Building 643) would constitute an adverse effect to historic properties. As such your agency is required to consult under 36CFR800 (Section 106 consultation). Consultation will lead to a Memorandum of Agreement or a Programmatic Agreement stipulating the conditions under which the effect of your project can be avoided, minimized or mitigated. We suggest you consult with the Advisory Council on Historic Preservation on how to proceed with your 106 obligations. You are also welcome to come and talk to our staff.

Any questions should be addressed to Ross W. Stephenson, SHPD Historian, at (808) 692-8028 (office), (808) 497-2233 (cell) or ross.w.stephenson@hawaii.gov.

Mahalo for the opportunity to comment.

Pua Aiu

Administrator